

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

ROBERT S. WHITE,  
Plaintiff,

Case No. 3:25-cv-00450-CL

**ORDER**

v.

STATE OF OREGON,  
Defendant.

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**KASUBHAI**, United States District Judge:

This matter is before the Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). Magistrate Judge Clarke issued a Findings and Recommendation on April 17, 2025, in which he recommends that this Court dismiss Plaintiff's Complaint for lack of jurisdiction and deny leave to amend. F&R, ECF No. 10. When a party objects to a magistrate judge's Findings and Recommendations, the district court must "make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). The district court has no obligation to review the portions of the magistrate judge's report to which no party has objected. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). However, the district court is not precluded from *sua sponte* review of other portions of the Findings and Recommendation, *Thomas v. Arn*, 474 U.S. 140, 149 (1985), and the Advisory Committee notes to Federal Rule of Civil Procedure

72(b) recommend that the court should review such portions for “clear error on the face of the record.” Fed. R. Civ. P. 72(b) advisory committee’s note to 1983 amendment.

Here, Plaintiff filed objections to the Magistrate Judge’s Findings and Recommendation. Pl.’s Obj., ECF No. 13. The Court has carefully considered Plaintiff’s objections and reviewed the relevant portions of the record *de novo* and concludes that there is no basis to modify the Findings and Recommendation. The Court likewise finds no clear error with the remainder of the Findings and Recommendation to which no objections were filed.

### **CONCLUSION**

The Court ADOPTS Magistrate Judge Clarke’s Findings and Recommendation, ECF No. 10. This matter is DISMISSED and leave to amend is DENIED. Any remaining pending motions are DENIED as moot.

IT IS SO ORDERED.

DATED this 30th day of May 2025.

s/ Mustafa T. Kasubhai  
MUSTAFA T. KASUBHAI (He / Him)  
United States District Judge